

Message Text

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ACTION DLOS-05

INFO OCT-01 NEA-09 IO-10 ISO-00 ACDA-05 AGR-05 AID-05

CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 OFA-01 COME-00

DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FMC-01 H-02

INR-07 INT-05 JUSE-00 L-02 NSAE-00 NSC-05 NSF-01

OES-03 OMB-01 PA-01 PM-03 PRS-01 SP-02 SS-15 USIA-06

FEA-01 /113 W

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R 231920Z APR 75

FM USMISSION GENEVA

TO SECSTATE WASHDC 2339

INFO AMEMBASSY SANAA

S E C R E T GENEVA 2871

FROM USDEL LOS

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS: US - UAR DISCUSSIONS

1. SUMMARY: US REPS MET WITH YEMEN REP ON STRAITS
ISSUE. YEMEN EMPHASIS ON INNOCENT PASSAGE EXPLAINED
AS MEANS OF SOLVING SECURITY CONCERNS. YEMEN SHOWED
SLIGHT DEGREE OF GIVE ON ISSUE WHEN PRESSED BUT
FINAL POSITION WAS INNOCENT PASSAGE FOR BOTH MILITARY
AND COMMERCIAL VESSELS. END SUMMARY.

2. AMBASSADOR JOHN NORTON MOORE, DEPUTY SEPCIAL
REPRESENTATIVE OF THE PRESIDENT, AND REAR ADMIRAL
MAX K. MORRIS, JCS REP FOR LAW OF THE SEA, MET WITH
AMBASSADOR ADNAN TARCICI, ACTING HEAD OF YEMEN DELE-
GATION FOR ONE HOUR TO DISCUSS STRAITS AND NAVIGA-
TION ISSUES. TARCICI GAVE YEMEN'S POSITION CAREFULLY
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AND AT LENGTH, EMPHASIZING THE LONG-TIME SECURITY

CONCERNS WHICH LED TO SUPPORT FOR INNOCENT PASSAGE RATHER THAN UNIMPEDED TRANSIT. HE INDICATED THAT QUOTE OUR FRIENDS SUCH AS THE USA UNQUOTE COULD ALWAYS PASS FREELY BUT THAT YEMEN DESIRED THE LEGAL RIGHT TO DECIDE ON INNOCENCE.

3. MOORE RESPONDED WITH COMPLETE EXPLANATION OF MARITIME POSITION, POINTING OUT FLAWS IN SECURITY ARGUMENTS GIVEN, AND EMPHASIZING WILLINGNESS OF US AND OTHERS TO MEET LEGITIMATE CONCERNS OF STRAITS STATES. TARCICI REPLIED THAT HE APPRECIATED US PRESENTATION AND THAT EXPRESSED DESIRES TO MEET HIS CONCERNS OF INTEREST. HE THEN REPEATED ASSURANCES OF FREINDSHIP WITH US. HE STATED AT END THAT HE DID NOT EXPECT MR. AL-HUBAISHI TO RETURN FROM SANAA PRIOR TO END OF CONFERENCE.

4. IT WAS CLEAR FROM INTERVIEW THAT CONTROL OF BAB-EL-MANDEB TRAFFIC IS ACTUAL DESIRE OF YEMEN, LARGELY RELATING TO ARAB-ISRAELI CONFLICT. THIS WOULD BE CONSISTENT WITH COLLATERAL INFORMATION RECEIVED FROM FRENCH DELEGATION REGARDING STRENGTHENING OF PERIM ISLAND BY ARAB LEAGUE DECISION. NONETHELESS, AMBASSADOR TARCICI GAVE SUBTLE SIGNS THAT IF SECURITY BOLSTERED BY OTHER MEANS, UNIMPEDED TRANSIT (AS A THEORY) WOULD BE MORE ATTRACTIVE. AT CLOSE OF INTERVIEW, TARCICI SAID HE WOULD SEND AMBASSADOR MOORE'S AND RADM MORRIS' COMMENTS TO SANAA FOR CONSIDERATION.

5. SUBJECT TO DEPT CONCURRENCES, STRONGLY RECOMMEND DEMARCHE TO YEMENI GOVT AT HIGHEST LEVEL REGARDING VITAL POSITION OF UNIMPEDED TRANSIT IN US LAW OF SEA POSITION. EMPHASIS SHOULD BE ON SUBSTANCE AS GIVEN IN LOS AIRGRAMS. IT SHOULD ALSO BE MADE CLEAR THAT US DOES NOT ATTACH IMPORTANCE TO USE OF TERMS FREE OR UNIMPEDED TRANSIT BUT MUST HAVE FUNCTIONAL RIGHTS OF INIMPEDED PASSAGE (INCLUDING OVERFLIGHT, SUBMERGED TRANSIT AND NO NOTIFICATION OR SEPARATION BETWEEN CATEGORIES OF SHIPS.) WITHOUT SUCH, US CANNOT ACCEPT TREAT AND HAS SO STATED FOR SOME YEARS.

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6. US DEL WILL CONTINUE TO KEEP IN TOUCH WITH YEMEN DEL BUT BELIEVE REAL DECISIONS ARE MADE IN CAPITOL.

7. FOR ESKIN D/LOS. PLEASE SEEK DEPT CONCURRENCE ASAP. DALE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW OF THE SEA, INNOCENT PASSAGE, TERRITORIAL SEA LIMIT, NEGOTIATIONS, STRAITS
Control Number: n/a
Copy: SINGLE
Draft Date: 23 APR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: greeneet
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975GENEVA02871
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750143-0352
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750425/aaaaaxls.tel
Line Count: 112
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION DLOS
Original Classification: SECRET
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: SECRET
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: greeneet
Review Comment: n/a
Review Content Flags:
Review Date: 18 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <18 JUN 2003 by BoyleJA>; APPROVED <30 OCT 2003 by greeneet>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LOS: US - UAR DISCUSSIONS
TAGS: PLOS, US, EG, YE
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006